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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/484,098	01/18/2000	Albert D. Baker	19-3	9279

7590 08/15/2003
Ryan & Mason LLP
90 Forest Avenue
Locust Valley, NY 11560

EXAMINER

TODD, GREGORY G

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 08/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/484,098

Applicant(s)

BARER ET AL.

Examiner

Gregory G Todd

Art Unit

2157

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 04 August 2003. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-21.

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☒ Other: _____


SALEH NAJJAR
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Applicants arguments are not persuasive. Although the claim language is broad enough to encompass the interpretation urged by the Applicants, the claim language itself does not require the gateway to . Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The applicant further argues that Krishnan's communications between devices on the same local network would need to be routed to an external network and back into the local network, thus being very inefficient and bandwidth-consuming. However, Krishnan discloses the use and purpose of a router, gateway, or bridge being, as is very well known in the art, to discard packets destined on the same network of leaving that same network (at least col. 3, lines 61-67) according to the IP address, which on a sub-network, being advantageously referred to as being in the "same" network (at least Fig. 3 (0.0.0.xx); col. 7, lines 18-21).

The Examiner maintains rejections of all claims and reiterates response of Final Rejection.

The applicant argues that a.) Krishnan does not disclose determining remotely-assigned address information for a given device attached to the local network; and b.) Krishnan does not disclose establishing, based at least in part of the remotely-assigned address information, a substitution address for use by at least one other device attached to the local network when communicating with the device.

In response to a.); The claim language states "gateway...to determine remotely-assigned address information" for a computer on the LAN. Krishnan clearly teaches this limitation in the original cited portion. Krishnan's system has the gateway modify all outgoing data packets to appear as if originating from the gateway, and in doing so, reading and thus determining the origin/source address of outgoing packet. Krishnan goes on in the same paragraph (col. 3, lines 16-33), to state looking up the LAN address of the originating computer and also an administrator (remote to computers (42 and 43)) assigning said IP addresses (see col. 7, lines 11-21), further showing determining the remotely-assigned address information.

In response to b.); The claim language states "establish...a substitution address for use" by a computer on the LAN when communicating with the gateway. Krishnan clearly teaches this in the cited portion, as Krishnan discloses substituting its own source address, thereby establishing another address, of the gateway here, to substitute for the computer's original address and assigning/establishing the source address of the IP packet 40 into a new packet 40' (at least col. 7 line 65 - col. 8 line 9). The applicant further argues Krishnan does not teach this substitution being based on the remotely-assigned address information. However, the broad nature of the claim only suggests that an incoming packet for the gateway being substituted when coming from the LAN itself, and not from the outside networks (eg. Internet), thus the substitution occurring and being based on the computer being on the LAN and having a particular IP address assigned by the LAN and having the remotely-assigned address. Although the particular embodiment Krishnan describes as being used to communicate with devices on different networks, it is inherent the same method would be used when communicating with any other device, independent of the network destination.